

**MINUTES OF REGULAR MEETING - VIDEO  
OPEN SESSION  
FEBRUARY 16, 2011  
ILLINOIS GAMING BOARD  
CHICAGO, ILLINOIS**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

On Thursday, February 16, 2012 a Regular Meeting - Video of the Illinois Gaming Board ("Board") was held on the 3<sup>rd</sup> floor at 160 N. LaSalle, Chicago, Illinois.

On Thursday, February 16, 2012 at approximately 10:00 A.M. the following Board members were present: Members Maribeth Vander Weele, Michael Holewinski and Lee Gould. Chairman Jaffe participated via telephone. At 10:00 A.M. on Thursday, February 16, 2012, Member Holewinski called the meeting to order. Pursuant to Section 2(c), paragraphs (1), (11), (14) and (21) of the Open Meetings Act and Section 6(d) of the Riverboat gambling Act, Member Holewinski moved that **the Board retire to Closed Session to discuss the items listed under Closed Session on today's agenda and relating to the following subject matters:**

- 1. Personnel matters;**
- 2. Investigations concerning applicants and licensees; and**
- 3. Closed session minutes.**

Member Vander Weele seconded the motion. The Board approved the motion unanimously by voice vote. The Board recessed and went into open session at 10:05 A.M. Present were the following: Member Gould, Member Vander Weele, Member Holewinski and Member Gould. Chairman Jaffe participated via telephone. The Open Session for the Public started at 11:15 A.M.

**APPROVAL OF MINUTES – Open Session**

Member Gould moved that **the Board approve the open session minutes of its Regular Meeting of January 19, 2012**. Member Vander Weele seconded the motion. The Board approved the motion unanimously by roll call vote.

**ADMINISTRATOR'S REPORT -**

Administrator Ostrowski commented on the progress of the investigations for the licensing for the manufacturers, distributors and supplier licenses for video gaming.

**BOARD POLICY ITEMS –**

- Proposed Rule Changes – Sections 1800.1065 and 1800.590 of the Video Gaming Rules.

Caleb Melamed gave a brief summary of the proposed rule changes.

Sections 78 (a) (3) and (b) of the Video Gaming Act grant to the Board both regular and emergency rulemaking authority regarding the Video Gaming Act. At the February 16, 2012 open meeting of the Illinois Gaming Board, legal staff will submit proposals to amend the Board's rules on video gaming (11 Ill. Adm. Code 1800). The proposals to be submitted are the following:

***Registration of video gaming terminals (VGTs):*** The proposed rule would parallel the Board's current Riverboat Gambling Act Rule 280, Registration of All Gaming Devices [86 Ill. Adm. Code 3000.280] , which requires holders of owners licenses to securely affix a registration tag issued by the Board on each gaming device in their possession. This new section will require terminal operators to affix registration tags on each VGTs in their possession in Illinois. Because of the urgent need to keep track of VGTs that will be used in connection with video gaming, staff recommends the filing of this proposal as an emergency rulemaking with the Secretary of State, to be effective immediately upon filing.

***Fingerprinting of applicants:*** The location application now before the Board for approval requires all applicants and PSICs (persons with significant influence or control) to be fingerprinted as a condition of the applicant's licensure. Because of the very large number of anticipated applicants, the Department of State Police will not have the capacity to conduct the

fingerprinting on its own, and it will be necessary to use the services of private fingerprinting companies.

The Illinois Department of Public Health has previously adopted rules in its Health Care Worker Background Check Code [77 Ill. Adm. Code Part 955] establishing requirements for "livescan vendors"—private companies that collect fingerprints of applicants for employment as health care workers. To qualify with the Department of Public Health as an approved livescan vendor, a company must enter into a standardized contract with the department and meet all of the other requirements imposed by rule [77 Ill. Admin. Code 955.285]. Notably, under 77 Ill. Admin. Code 955.285 b) 1), the livescan vendor must "use only equipment that has been certified by the Department of State Police to collect inkless fingerprints and software that is up to date and meets the requirements of the Department of State Police for fee applicant submissions."

The proposed rule cross-references the applicable provisions of the Illinois Department of Public Health Rules pertaining to livescan vendors, namely, the definition of "livescan vendor" contained in 77 Ill. Admin. Code 955.110 and the requirements for approval as a livescan vendor contained in 77 Ill. Admin Code 955.285. (Copies of these rules are included as attachments to this memo.) The proposed rule authorizes livescan vendors that have contracted with the Department of Public Health, and have met all of that department's other requirements, to collect fingerprints on applicants for video gaming licenses and their PSICs. Although intended to apply mostly to location licenses, the proposed language has general applicability to all video gaming licenses issued by the Board.

Staff recommends the filing of this proposal as an emergency rule, to be effective immediately upon filing.

## **TERMINAL OPERATOR ITEMS**

- Terminal Operators

Based on a review of staff's investigation and recommendation, Member Gould moved **that the Board approve the following entities for Terminal Operator's Licenses effective February 16, 2012 for a period of one (1) year, expiring in February 2013:**

**AC Gaming, Inc.; All American Gaming, Inc.; Allied Gaming, LLC; Awesome Hand Services, LLC; Gold Rush Amusements, Inc.; Lattner Entertainment Group Illinois, LLC; Melody Gaming, LLC; Metro Gaming, LLC; Morris Gaming, Inc.; Renville Gaming, LLC; Slot Kings Gaming, LLC; Triple 7 Illinois, LLC; and Vic Entertainment, LLC.** Member Vander Weele seconded the motion. The Board approved the motion unanimously by roll call vote.

- American Video Gaming, LLC – Terminal Operator

Based on a review of staff's investigation and recommendation, Member Vander Weele moved **that the Board approve American Video Gaming, LLC for a Terminal Operator's License effective February 16, 2012 for a period of one (1) year, expiring in February 2013.** Member Holewinski seconded the motion. Chairman Jaffe was in favor of the motion. Member Gould abstained. The motion passed.

- Maxum Enterprises, Inc. – Terminal Operator

Based on a review of staff's investigation and recommendation, Member Gould moved **that the Board deny Maxum Enterprises, Inc.'s application for a Terminal Operator's License.** Member Vander Weele seconded the motion. The Board approved the motion unanimously by roll call vote.

## **ADMINISTRATIVE HEARINGS/ALJ REPORTS –**

- Request for Hearing – Chicago Touch Screen, LLC

Based on the review of staff's investigation and recommendation, Member Vander Weele moved **that Chicago Touch Screen, LLC's request for a hearing be granted.** Member Gould seconded the motion. The Board approved the motion unanimously by roll call vote.

At 11:28 A.M. Member Gould motioned to adjourn and Member Vander Weele seconded the motion. All Members voted in favor of adjournment.

Respectfully submitted,

Mary C. Boruta  
Secretary to the Administrator